

**AGENDA
CITY OF THE COLONY, TEXAS
BUILDING AND STANDARDS COMMISSION
WEDNESDAY, DECEMBER 16, 2015**

After determining that a quorum is present, the Building and Standards Commission of the City of The Colony, Texas will convene into Regular Session which will be held on Wednesday, December 16, at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following item will be addressed:

1.0	CALL REGULAR SESSION TO ORDER
2.0	ITEMS FOR CONSIDERATION
2.1	Consider approval of the minutes of the October 21, 2015 Building and Standards Commission meeting.
2.2	Conduct a public hearing, discuss and consider substandard structure or improvement (water leak) on property located at 4505 Ridegpointe Drive, The Colony, Texas, and having a legal description of Ridgepointe, Ph 2-B, Block H, Lot 40.
2.3	Conduct a public hearing, discuss and consider a substandard structure or improvement (water leak) on property located at 7206 Augusta Street, The Colony, Texas, and having a legal description of Colony No. 24, Blk 209, Lot 37.

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact Christie Wilson, City Secretary, at 972-624-3106 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 PM on the 11th day of December 2015.


Christie Wilson, City Secretary



BUILDING AND STANDARDS COMMISSION

AGENDA DATE: December 16, 2015

DEPARTMENT: Community Image

STAFF MEMBER: Iris Browder, Community Image Manager (972) 624-3151

SUBJECT CE1510-0337, 4505 Ridgepointe Drive

Conduct a public hearing regarding a substandard structure or improvement (water leak) on property located at 4505 Ridgepointe Drive, The Colony, Texas and having a legal description of Ridgepointe Ph. 2-B, Block H, Lot 40.

PROPERTY OWNER

Patrick & Jaime Murphy
4505 Ridgepointe Drive
The Colony, Texas 75056

EXISTING CONDITION OF PROPERTY

Sec. 6-75 Responsibilities defined: The property shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Section 6-79 Exterior property areas: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Section 6-82(d) Sanitation/utility standards (fixtures): All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water necessary for its normal operation. All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material. All plumbing fixtures shall be installed and maintained in a safe and sanitary condition. **The flow of sewage or water from openings or breaches in water supply lines or sewage disposal lines shall be stopped, and repair performed as necessary to eliminate sanitary hazards.**

Section 6-82(h) Sanitation/utility standards (connection to water system): Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code. **The flow of water from openings or breaches in water supply lines shall be stopped, and repair performed as necessary to eliminate the loss of water.**

Section 6-86 Hazardous Plumbing: All plumbing, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good

condition and which is free from cross connections and siphonage between fixtures. **Hazardous plumbing fixtures shall include those fixtures that allow the flow of sewage or water from openings or breaches in water supply lines or sewage disposal lines.**

BACKGROUND

- Check for leak conducted on 12/14/2010.
- Check for leaks were conducted by the water department on 4/17/13 and 11/19/14.
- December 2, 2014 – Complaint received. Sent 1st notice to the property owner.
- December 16, 2014 – 1st re-inspection conducted. Violation still exists. Sent final notice to property owner.
- December 30, 2014 – 2nd re-inspection conducted. Violation still exists. Sent final notice before citation.
- January 12, 2015 – Final inspection conducted. Sent citation.
- February 13, 2015 – Received a complaint about water leaking onto sidewalk and stated that the violation had been present for two years.
- February 17, 2015 – Per City Attorney, staff sent a certified letter to the property owner stating that we would issue second citation and if the violation was not abated, we could issue him a citation each day the violation still exists on the property.
- March 17, 2015 – 2nd citation issued to the property owner.
- March 17, 2015 – Per City Attorney, staff sent another certified letter giving the property owner 7 days to abate the violation.
- March 26, 2015 – Final inspection performed. Violation still exists. 3rd citation was issued to the property owner.
- Staff was advised by the City Attorney that we would pursue a Chapter 54 for the violation in district court.
- April 9, 16, and 24th, 2015 – Complaints received.
- May 1, 2015 – Check for leak was conducted by the Water Department to check for chlorine in the water. Chlorine was present in each sample taken. Water Department left a door notice at the property advising the property owner that the leak was located on his side of the property.
- June 2, 2015 – Staff presented documentation regarding the status of the property to City Council for consideration and action on possible litigation against the property owners.
- June 3, 2015 – A hearing notice regarding the termination of water service was sent certified mail to the property owner and also posted at the front door of the property.
- June 2015 – Staff received a phone call from the property owner stating that the he was working on fixing the leak.
- December 10, 2015 – Violation still exists.

SUBSTANDARD PROCESS OUTLINED IN ORDINANCE

- October 28, 2015 – Title search of the property was completed.
- November 12, 2015 – Notice mailed to the property owner and lienholder informing them of the Building and Standards Commission Meeting to be held on December 16, 2015. (Sent regular and certified mail)
- November 13, 2015 – Notice of hearing was posted at the property.
- December 4, 2015 – Notice of hearing was posted in the newspaper.

OPTIONS FOR THE BOARD

1. Repair leak within 30 days.
2. Disconnect water service to the property.

RECOMMENDATION

Staff is recommending that the property located at 4505 Ridgepointe Drive be declared a public nuisance and a substandard structure and the water leak should be repaired within 30 days, or disconnect water service to the property.

ATTACHMENTS

1. Site map
2. Site photographs.

Attachment 1



Attachment 2





BUILDING AND STANDARDS COMMISSION

AGENDA DATE: December 16, 2015

DEPARTMENT: Community Image

STAFF MEMBER: Iris Browder, Community Image Manager (972) 624-3151

SUBJECT *CE1510-0284, 7206 Augusta Drive*

Conduct a public hearing regarding a substandard structure or improvement (water leak) on property located at 7206 Augusta Drive, The Colony, Texas and having a legal description of Colony No. 24, Block 209, Lot 37.

PROPERTY OWNER

Jeff A. Scoggins
7206 Augusta Drive
The Colony, Texas 75056

EXISTING CONDITION OF PROPERTY

Sec. 6-75 Responsibilities defined: The property shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Section 6-79 Exterior property areas: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Section 6-82(d) Sanitation/utility standards (fixtures): All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water necessary for its normal operation. All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material. All plumbing fixtures shall be installed and maintained in a safe and sanitary condition. **The flow of sewage or water from openings or breaches in water supply lines or sewage disposal lines shall be stopped, and repair performed as necessary to eliminate sanitary hazards.**

Section 6-82(h) Sanitation/utility standards (connection to water system): Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code. **The flow of water from openings or breaches in water supply lines shall be stopped, and repair performed as necessary to eliminate the loss of water.**

Section 6-86 Hazardous Plumbing: All plumbing, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good

condition and which is free from cross connections and siphonage between fixtures. **Hazardous plumbing fixtures shall include those fixtures that allow the flow of sewage or water from openings or breaches in water supply lines or sewage disposal lines.**

BACKGROUND

- Check for leaks were conducted by the water department on 6/17/14, 7/23/14, 8/5/14, 8/19/14, and 8/27/14.
- November 3, 2014 – Complaint received. Sent 1st notice to the property owner.
- November 17, 2014 – 1st re-inspection. Violation still exists. Sent final notice to property owner.
- December 1, 2014 – Received an email from Mr. Scoggins stating that he was going to contact a plumber who could work out a payment plan with him to repair the leak.
- December 2, 2014 – Received another email from Mr. Scoggins stating that he had contacted Skinner Plumbing and he wasn't sure if he could get the permits pulled by the deadline, but wanted to let us know he was moving forward with the work.
- December 4, 2014 – Staff emailed Mr. Scoggins that we could not find any record of permits being issued for repair work at his residence, but we would give him until the end of the day to apply for the permits. Staff also stated that we would issue a citation if a permit was not obtained.
- December 5, 2014 – Received an email from Mr. Scoggins that he had left a message for Skinner Plumbing.
- December 5, 2014 – Citation was issued.
- December 9, 2014 – Received an email from Mr. Scoggins and that he received the citation.
- December 2014 – The water department verified that a water line had been replaced from the water meter to the manifold at the house.
- In January of 2015 a complaint was received by the Water Department for another water leak at the property. Second round of check for leaks were conducted by the Water Department on 1/21/15, 3/26/15, and 9/24/15.
- October 13, 2015 – Community Image received a complaint from the Water Department regarding another leak at the property. Initial inspection of the property was conducted by the Community Image Department and violation notices were sent to the property owner.
- October 27, 2015 - 1st re-inspection conducted. Violation still exists.
- October 28, 2015 – Sent updated violation letter to the property owner. (Water leaks were added to the current substandard structure ordinance and approved by City Council).
- November 9, 2015 – 2nd re-inspection conducted. Violation still exists.
- November 13, 2015 – Received another complaint regarding the water standing at the intersection of Augusta and Jenkins. Complaint said there were numerous mosquitos.

SUBSTANDARD PROCESS OUTLINED IN ORDINANCE

- October 28, 2015 – Title search of the property was completed.
- November 12, 2015 – Notice mailed to the property owner and lien holder informing them of the Building and Standards Commission Meeting to be held on December 16, 2015. (Sent regular and certified mail)
- November 13, 2015 – Notice of hearing was posted at the property.
- December 4, 2015 – Notice of hearing was posted in the newspaper.

OPTIONS FOR THE BOARD

1. Repair leak within 30 days.
2. Disconnect water service to the property.

RECOMMENDATION

Staff is recommending that the property located at 7206 Augusta be declared a public nuisance and a substandard structure and the water leak should be repaired within 30 days, or disconnect water service to the property.

ATTACHMENTS

1. Site map
2. Site photographs.

Attachment 1



Attachment 2



